

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STANDING ORDERS

HONORABLE FERN M. SMITH

1. Counsel shall consult and comply with all provisions of the Local Rules relating to continuances, motions, briefs, and all other matters, unless superseded by these Standing Orders.
2. **Counsel must reserve a motion hearing date with the Court.** Notice your motion in accordance with the following times: Case Management Conferences and Civil motions are generally heard on Thursdays at 2:00 p.m. Criminal matters are held on Wednesdays at 2:00 p.m. Final Pre-trial Conferences are generally held on Thursdays at 2:00 p.m.
3. **Summary judgment/adjudication: Only one joint statement of undisputed facts, signed by all parties, should be filed.** Statements shall be filed with the opposition. In cases where parties, after meeting and conferring, are in disagreement, the moving party shall file a short statement explaining each area of disagreement. Lack of good faith in refusing to accept a fact as undisputed will be grounds for sanctions.
4. Parties wanting to continue hearings, request special status conferences or make other procedural changes should do so by either signed stipulation and proposed order or, if stipulation is not possible, by a written ex parte application and proposed order. **BRIEFING SCHEDULES MAY NOT BE CHANGED BY STIPULATION. ANY CHANGE IN THE HEARING DATE DOES NOT ALTER THE ORIGINAL BRIEFING SCHEDULE.** Parties should **NOT** contact the law clerks or courtroom deputy about these matters by telephone.
5. Parties are reminded that most procedural questions are answered in the Local Rules or the Standing Orders. If questions arise that are not answered in the rules, parties may call the Courtroom Deputy. Parties are directed **NOT** to call chambers.
6. The Court will **not entertain formal motions to compel discovery without leave of Court.** Discovery disputes should be brought to the Court's attention by way of letter, not exceeding three pages in length with copies served on all parties, alerting the Court to the dispute and suggesting a means for its prompt resolution. Upon receipt of the letter, the Court will contact the parties to schedule a telephone conference. In urgent situations, e.g. during an oral deposition, the parties may call and orally request a telephone conference.
7. Joint status conference statements are **REQUIRED** and **MUST** be filed 10 days in advance of the status conference date. The cover sheet should include the date of the status conference.
8. Motions in limine shall be filed with the pretrial conference

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statements.

9. In all cases that have been assigned to the ECF Program, the parties are required to provide for use in chambers one paper copy of all motions, oppositions, replies, and supporting documents; and all Pretrial Statements and trial documents called for in this court's Pretrial Order. The paper copy of each such document shall be delivered no later than noon on the day after the document is filed electronically, or otherwise filed. The paper copy shall be marked "Chambers Copy" and shall be delivered directly to Judge Smith's chambers. Counsel should NOT deliver the copy to the Clerk's Office. Chambers copies of documents shall be submitted on two hole punched paper.

SO ORDERED.

Dated: March ____, 2004

FERN M. SMITH
United States District Judge